IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff, : Civil Action No.

1:12-cv-2296-TCB

v.

AUBREY LEE PRICE;

PFG, LLC; PFGBI, LLC; MONTGOMERY ASSET

MANAGEMENT, LLC f/k/a PFG

ASSET MANAGEMENT, LLC, (Florida:

Limited liability company); and

MONTGOMERY ASSET

MANGEMENT, LLC f/k/a PFG

ASSET MANAGEMENT,

LLC,(Georgia limited liability company)

Defendants.

ORDER GRANTING RECEIVER'S MOTION TO APPROVE SALE OF PROPERTY OF THE ESTATE (3500 EL CONQUISTADOR PARKWAY)

THIS CAUSE came before the Court on the Receiver's Motion to Approve Sale of Property of the Estate (3500 El Conquistador Parkway Unit 120) (the "Motion"). With the Court having considered the Motion, and finding that cause exists to grant the Motion, it is hereby ORDERED as follows:

- 1. The Motion is **GRANTED**.
- 2. The Court finds that the Receiver's efforts in marketing the property located at 3500 El Conquistador Parkway Unit 120, Bradenton, Florida, 34210 ("Unit 120") meet the requirements, and comply with the spirit, of 28 U.S.C. 2001(b), and that the sale of Unit 120 is in the best interest of the Receivership estate.
- 3. The Court therefore approves the private sale of Unit 120 upon the terms and conditions set forth in the Offer (as defined in and attached as Exhibit A to the Motion), without requiring any further notice or process.
- 4. The Court further authorizes, upon the closing of the sale of Unit 120, the payment of the commission owed to the Receiver's broker, Atchley International Realty, Inc. ("Atchley"), and the buyer's broker, pursuant to the commission structure provided in the listing agreement entered into between Atchley and the Receiver. Accordingly, Atchley is entitled to a commission payment of 2% of the purchase price as payment in full for its services performed in connection with the sale of Unit 120, and the buyer's broker is entitled to a

commission payment of 3% of the purchase price.

DONE AND ORDERED in the Northern District of Georgia, this 5th day of

<u>April</u>, 2013.

UNITED STATES DISTRICT COURT JUDGE